

Prob12B
(7/93)

**United States District Court
for the District of Massachusetts**

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Donald Perry

Case Number: 08-CR-10307

Name of Sentencing Judicial Officer: The Honorable Patti B. Saris, U.S. District Judge

Date of Original Sentence: April 14, 2009

Date of 1st Violation: June 16, 2011

Original Offense: Assault on a Federal Officer, in violation of 18 U.S.C. § 111(a)(1)

Original Sentence: 30 Months of Imprisonment followed by 36 Months of Supervised Release

Violation Sentence: 35 Days Imprisonment followed by 30 Months of Supervised Release

Type of Supervision: Supervised Release

Date Supervision Commenced: October 17, 2010

Date Supervision Re-Commenced: June 30, 2011

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years
☒ To modify the conditions of supervision as follows:

The defendant will remain at the Coolidge House for an additional term of up to six months or until such time that he secures a personal residence approved by the U.S. Probation Office. While residing at the Coolidge House, the defendant will abide by all program rules and regulations.

CAUSE

Donald Perry is currently residing at the Coolidge House as a special condition of his term of supervised release. Mr. Perry is scheduled to complete his current term on December 29, 2011. He has applied for Social Security Disability Income, but has not yet heard a decision. Mr. Perry is engaged in substance abuse and mental health treatment in the community. As Mr. Perry has no release address, he was approached by the probation department to sign a modification to remain at the Coolidge House. On December 16, 2011, Mr. Perry signed a Probation Form 49 and agreed to modify his conditions to remain at the Coolidge House for an additional term. The probation department has attached the Probation Form 49 to this document for the Court's review.

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**Request for Modifying the
Conditions or Terms of Supervision
with Consent of the Offender**

Reviewed/Approved by:

Respectfully submitted,

/s/ Brian McDonald

By

/s/ Jeffrey R. Smith

Brian McDonald

Jeffrey R. Smith

Supervising U.S. Probation Officer

Senior U.S. Probation Officer

Date: December 16, 2011

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☐ The Modification of Conditions as Noted Above
- ☐ Other

The Honorable Patti B. Saris
U.S. District Judge

Date

PROB 49
D/MA 07/09

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS

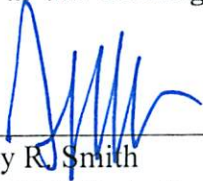
I have been advised and understand that I do not have to agree to this proposed modification(s). I have been advised and understand that instead of signing this form today, I can consult with an attorney and report back to the Probation Office within 48 hours as to how I would like to proceed.

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant will remain at the Coolidge House for an additional term of up to six months or until such time that he secures a personal residence approved by the U.S. Probation Office. While residing at the Coolidge House, the defendant will abide by all program rules and regulations.

Witness: _____


Jeffrey R. Smith
Senior U.S. Probation Officer

Signed: _____


Donald Perry

12-16-11
DATE